

**BOARD OF ZONING APPEALS
MINUTES
AUGUST 12, 2010**

The Board of Zoning Appeals met on Thursday, August 12, 2010, at 5:15 p.m. in the Council Chambers, 45 E. Broad Street, Cookeville, Tennessee.

MEMBERS PRESENT: Paul Bonner, Tracy Cody, Kay Detwiler, and Sid Gilbreath.

MEMBER ABSENT: Jane Flatt.

STAFF PRESENT: James Mills, Jayne Barns, and Ken Young.

OTHERS PRESENT: Marjorie Bonner, and Eric & Charlene Stone.

CONSIDER FOR APPROVAL THE MINUTES OF JULY 8, 2010. Paul Bonner made the motion to approve the minutes of July 8, 2010. Tracy Cody seconded the motion and the motion carried unanimously. **APPROVED.**

CONSIDER A REQUEST FOR A 15' VARIANCE IN THE REAR YARD SETBACK REQUIREMENTS ON THE PROPERTY LOCATED AT 1077 BOB BULLOCK ROAD. REQUEST SUBMITTED BY ERIC ROGER STONE. James Mills stated that Mr. Eric Roger Stone has submitted a request for a variance to reduce the rear yard setback requirement for his property located at 1077 Bob Bullock Road to allow the replacement of an existing single wide mobile home with a double wide mobile home.

Mr. Stone's property is identified as Parcel 24.01 on Tax Map 96 and is zoned as RS-20, Single Family Residential. The minimum rear yard setback in the RS-20 district is 30 feet. The request before the Board is to reduce this requirement by 15 feet.

The Cookeville Zoning Code prohibits single wide mobile homes on individual lots. The structure was classified as a legal nonconforming use since it existed at the time the property was annexed in 2000. Mr. Stone would like to replace the existing structure with a double wide mobile home, which would be a conforming use. However, because the replacement home is larger it cannot be located at the same location as the previous home without encroaching in the rear yard setback requirement.

In the opinion of the Planning Department the physical surroundings, shape and topographic conditions of the subject property would create a particular hardship for the property owner if the strict application of the setback requirement is applied. The subject property is generally narrow in depth and has significant topographic constraints, especially in the front or north, that limit the buildable area. The petitioner also indicates that existing septic and field lines are located in the northern portion of the property where the structure would have to be located to meet the rear setback requirements.

All criteria for the granting a variance as specified in Section 233.9D (3) (d) of the Zoning Code appear to be met in this case. Additionally, approval of the request will allow the replacement of a nonconforming use with a conforming use.

Staff recommended approval of the request.

Tracy Cody made the motion to approve the 15' Variance in the rear yard setback requirements on the property located at 1077 Bob Bullock Road. Paul Bonner seconded the motion and the motion carried unanimously. **APPROVED, 15' VARIANCE IN THE REAR YARD SETBACK REQUIREMENTS.**

ADJOURNMENT: 5:17 P.M.

SUBMITTED FOR APPROVAL

SUBMITTED FOR RECORDING

**JAYNE BARNS CPS
PLANNING ASSISTANT**

**SID GILBREATH,
ACTING CHAIRMAN
BOARD OF ZONING APPEALS**